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2 November 1988
OCA 3658-88

NOTE FOR: The Director
FROM: John L. Helgerson
Director of Congressional Affairs
SUBJECT: Post-Employment Restriction Act

The Office of Management and Budget has requested your views by 3 November on whether the President should sign H.R. 5043, the "Post-Employment Restrictions Act of 1988." I understand that a similar request has been sent to all cabinet members.

The purpose of the Act is to strengthen and clarify the current criminal conflict of interest statutes that apply to the post-employment activities of Executive branch personnel; and to establish criminal conflict of interest prohibitions to apply to the post-employment activities of personnel in the legislative branch. One particularly interesting section of the bill would prohibit for a period of one year certain senior government officials from representing the interest of foreign governments, or foreign entities controlled by a foreign government, before government agencies or officials for the purpose of influencing a decision of an agency or official. The ban would also apply to advising foreign governments on how to lobby U.S. government officials.

Beyond working out some mechanism with the Office of Government Ethics to confirm where it is otherwise unknown that a foreign corporation is controlled by foreign government, the Agency does not have any particular intelligence equities at stake with this legislation. The bill before the President may actually be helpful to the Intelligence Community in that it remedies in part a potential problem of former intelligence officials using their knowledge to work on behalf of foreign governments to lobby U.S. Government officials.

I have prepared for your signature a proposed response to OMB that states that the Agency does not have any objection to the President signing this legislation. The Office of General Counsel and Office of Personnel concur in this response.

[Redacted Signature Box]

John L. Helgersón

Attachment as
stated

STAT

OCA/LEG/ [Redacted] (2 November 1988)

STAT

Distribution:

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STAT

Central Intelligence Agency



Washington D.C. 20505

04 NOV 1988

OCA 3661-88

The Honorable Joseph R. Wright, Jr.
Acting Director
Office of Management and Budget
Washington, D.C. 20503

Dear Mr. Wright:

This is in response to your request for the views of the Director of Central Intelligence on enrolled bill H.R. 5043, the "Post-Employment Restrictions Act of 1988." The purpose of this legislation is to strengthen and clarify current criminal conflict of interest statutes that apply to the post-employment activities of executive branch personnel and to establish criminal conflict of interest prohibitions to apply to the post-employment activities of personnel of the legislative branch.

After reviewing this legislation, I have determined that it would not adversely interfere with the activities of the Central Intelligence Agency. I therefore have no objection to the President signing this bill.

Sincerely yours,

/s/ William H. Webster

William H. Webster
Director of Central Intelligence

ROUTING AND RECORD SHEET				
SUBJECT: (Optional) Post-Employment Restriction Act				
FROM: John L. Helgerson Director of Congressional Affairs		EXTENSION	NO. OCA 3658-88 & OCA 3661-88	
			DATE 02 NOV 1988	
TO: (Officer designation, room number, and building)	DATE		OFFICER'S INITIALS	COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)
	RECEIVED	FORWARDED		
1. Executive Registry	02 NOV 1988		W	STAT
2.				
3. Executive Director	02 NOV 1988		GT	
4.				
5. Deputy Director of 6 Central Intelligence	2 NOV		8	
6.				
7. Director of Central Intelligence	2 NOV	11/4	W	
8.				
9. Executive Registry	4 NOV	7 NOV	SW	
10.				
11. Director of Congressional Affairs			11/7/88	
12.				
13. DD/LEG				
14. OCA Registry				
15.				

DCI
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TO : D/OCA		CONTROL # OCA 3658-88 OCA 3661-88	DATE OF REQUEST 2 November 1988
FROM : [redacted] via [redacted]		SUSPENSE DATE	
SUBJECT : Post-Employment Restriction Act		STAT	
		STAT	
NOTES Response to OMB's request for views on "Post-Employment Restriction Act of 1988." The Office of Personnel's position is that tighter restrictions on post employment could hurt recruitment, but that the potential harm does not justify recommending a veto of the bill. Furthermore, any effect on recruitment will not be CIA specific; it will be government-wide.			
COORDINATED WITH (list names as well as offices)			
NAME		OFFICE	DATE
NAME		OFFICE	DATE
NAME		OFFICE	DATE
NAME		OFFICE	DATE
ACTION REQUIRED BY D/OCA Please sign note to Director. <i>[Signature]</i> 11/2/88			